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January 2, 2008

The Honorable Joseph J. Farnan, Jr.
United States District Court
For the Eastern District of Delaware
844 North King Street
Wilmington, DE 19801

VIA ELECTRONIC FILING

Re: *Affymetrix, Inc. v. Illumina Inc.*, C.A. No. 04-901 (JJF)
Affymetrix, Inc. v. Illumina Inc., C.A. No. 07-670 (JJF)

Dear Judge Farnan:

The Court currently has two cases between Affymetrix and Illumina pending before it (C.A. Nos. 04-901 and 07-670). The earlier-filed case (C.A. 04-901) is scheduled to commence trial on the validity issues on February 11, 2008. A pretrial conference has not yet been set in that case, but the parties have requested a pretrial conference on January 23, 2008, and have agreed to a schedule for preparing the pretrial order based on that date. (D.I. 463, R. Herrmann Dec. 3, 2007 letter). In addition, the Court has set a scheduling conference in the later-filed case (C.A. 07-670) for January 11, 2008. To minimize the cross-country travel for the attorneys involved, if the Court's schedule permits, Affymetrix requests that the Court reschedule the January 11, 2008, scheduling conference in C.A. 07-670 to coincide with the pretrial conference in C.A. No. 04-901 (i.e., on January 23, 2008). Illumina has informed us that it does not oppose such a scheduling change.

For the Court's convenience, I have enclosed forms of order for scheduling these events in each of these cases.

Respectfully,


Maryellen Noreika (#3208)

MN/dlb

Enclosure

cc: Clerk of Court (Via Hand Delivery; w/ encl.)
Richard K. Herrmann, Esquire (Via Electronic Mail and Hand Delivery; w/ encl.)
Marcus E. Sernel, Esquire (Via Electronic Mail; w/ encl.)
Naikang Tsao, Esquire (Via Electronic Mail; w/ encl.)

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

AFFYMETRIX, INC.,

Plaintiff

v.

ILLUMINA, INC.,

Defendant

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C.A. No. 04-901-JJF

ORDER

The Pretrial Conference for Phase II will be held on January 23, 2008 at

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BY THE COURT:

United States District Court Judge

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

AFFYMETRIX, INC., a Delaware corporation,

Plaintiff,

v.

ILLUMINA, INC., a Delaware corporation,

Defendant.

C.A. No. 07-670 (JJF)

ORDER

WHEREAS, in a letter dated January 11, 2008, Affymetrix Inc. ("Affymetrix") requested that the Court reschedule the Scheduling Conference currently set for January 11, 2008 in order to coordinate that conference with the Pretrial Conference in *Affymetrix, Inc. v. Illumina Inc.*, C.A. No. 04-901 (JJF); and

WHEREAS, Illumina does not oppose Affymetrix's request:

IT IS HEREBY ORDERED that:

The January 11, 2008 Scheduling Conference is rescheduled to January 23, 2008

at _____.

BY THE COURT:

United States District Court Judge